

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

10th October 2007

**REPORT OF CORPORATE DIRECTOR OF
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES**

07/1927/FUL

Plot J, Bowesfield Farm, Stockton On Tees

**Residential development of 32 no. apartments and 4 no. houses with
associated car and cycle parking, refuse store and private residents garden**

Expiry date: 31st October 2006

Summary:

This application for full planning permission proposes the erection of 32 no apartments with 48 parking spaces, four houses and garages, refuse and cycle store, landscaping and a small residents garden. A combined pedestrian/vehicular access would be taken from Brooklime Avenue to the west, with a single pedestrian link to the east and Water Avens Way through the resident's garden. Planting proposals are not detailed in the submission, but boulevard trees are to be retained and some internal soft landscaping is shown.

Two representations have been received objecting and commenting on the proposal in respect of traffic generation, the scale of development, type of development, and that that the site should be open space.

There are no objections arising from consultees, although conditions are suggested in respect of noise disturbance between living accommodation, noise disturbance from adjacent road traffic, land contamination, and construction noise (working period), noise insulation, surface water drainage, and floor levels contaminated land. However, the Council's Urban Design Manager, whilst not objecting in principle has concerns in respect of vehicle parking and manoeuvring, and landscaping.

Having taken account of the representations received, it is considered that in principle the development of Plot J for housing is acceptable, however, changes are required to the existing submitted layout to satisfy the concerns raised. Any permission granted however, would necessitate an amendment to the Masterplan for Bowesfield Park, which can be dealt with as a separate matter.

In light of the above, the changes required, and bearing in mind the date for determination, it is recommended that the decision in respect of this application be delegated to the Head of Planning as set out below.

RECOMMENDATION

It is recommended that the decision in respect of planning application 07/1927/FUL be delegated to the Head of Planning and subject to a satisfactory layout being received, and a favourable response from the Council's Urban Design Manager in respect of matters relating to landscaping and highway safety, that conditional planning permission is granted. Otherwise, if there are

matters outstanding on the 31st October 2007 that planning permission is refused on the grounds of residential amenity, visual impact and highway safety.

SITE AND SURROUNDINGS

1. The Bowesfield site is a former clay extraction site and agricultural land west of the River Tees. Outline planning permission was granted on 6 May 2003 for a mixed-use development including offices, e-commerce centre, call centres, motor dealership, hotel, health club, housing, nature conservation area, amenity area, sailing centre with associate landscaping and roads. The planning permission was conditional, subject to a Masterplan and Design Guide and a Section 106 agreement.
2. Planning permissions granted subsequently relate to initial road construction, earthworks, reserved matters relating to extensions to approved roads, relocation of approved electricity sub station and construction of a water pumping station, substation and two motor dealerships. Two residential developments have been approved for Barratts and David Barlow Homes on adjacent sites. Planning permission has also been granted for commercial development on Plot B. Various amendments to extant permissions have been approved.
3. The duration of the outline permission was extended by Section 73 application in 2006. At present all reserved matters applications must be submitted before May 2008.

THE APPLICATION SITE

4. The application relates to a 0.53 hectare (1.3 acres) site located to the east of Queen Elizabeth Way within Bowesfield Park. It is to be found to the south east of the main roundabout within and close to the main entrance to Bowesfield Park.
5. Access to the site is via internal roads, which lead to Queen Elizabeth Way (South Stockton Link Road - SSLR).
6. The site falls generally from west to east and more gently from north to south. As part of the wider landscaping, boulevard tree planting and shrub planting has taken place along the north western northern boundaries of the site. However, those planted areas are outwith the application site.
7. To the north of application site is Area K, where offices are currently under construction. To the east and south of the application site are residential properties on Willow Sage Court and Brooklime Avenue/Sundew Court/ Water Avens Way respectively. To the west is Teesside Audi car dealership, and to the northwest is Toyota car dealership.
8. The site is currently disturbed land used for general storage. It is identified for commercial purposes as plot J in the approved Masterplan

PROPOSAL

9. This application for full planning permission proposes the erection of 32 no apartments with 48 parking spaces, four houses and garages, refuse and cycle store, landscaping and a small residents garden.
10. The current layout shows apartments arranged in a horseshoe to frame the northern and western boundaries of the site, but generally set lower than the surrounding highway and planted areas. The four houses are central south.
11. A combined pedestrian/vehicular access would be taken from Brooklime Avenue to the west, with a single pedestrian link to the east and Water Avens Way through the resident's garden.
12. Planting proposals are not detailed in the submission, but boulevard trees are to be retained and some internal soft landscaping is shown.

PUBLICITY

13. The application has been publicised by means of individual letters, site and press notice. Two representations have been received objecting to the proposal.
14. One email has been received from Dr. Ibhaddon (address unknown) objecting to the proposal on the grounds that the development would turn the area into a heavily congested area - along with the traffic generated by existing approved developments, and that the site cannot accommodate the proposed dwellings, cycle parking and associated provision for other services. Dr Ibhaddon suggests that the development should be scaled down or rejected outright, and that Plot J should be turned into open space.
15. One representation form has been received from Gordon Anderson, the owner of Plot 31 Water Avens Way objecting to the proposal on the grounds that the apartments will spoil the development and there are already enough flats on the site. Mr Anderson considers that houses would be better.

CONSULTATIONS

16. The following Consultees were notified and any comments made are indicated below:

Councillors

17. No response received.

Urban Design Manager

18. Urban Design has no objections to this development subject to the comments and conditions outlined below.

Highways Comments (Summarised)

19. The proposed development is located on Plot J of the larger Bowesfield development and was identified as office/commercial area in the original masterplan. However this application is for a residential development incorporating 36 properties including 32 2-bedroom apartments and 4 3-bedroom houses. There are 48 resident parking spaces associated with the 32 apartments and 2 parking spaces per dwelling. This is in accordance with parking standards. However, 5 disabled parking spaces, 13 secure and covered cycle spaces are required. The internal access road should be a minimum of 4.8m wide (Design Guide and Specification). A turning area is provided in the north east corner of the site, whilst this appears to provide sufficient space for cars to manoeuvre within the site safely, a plan demonstrating that larger vehicles, such as refuse trucks, are able to manoeuvre within the site adequately is required.
20. The vehicular access to the development is located on a road that provides access to a recently developed residential area and a car showroom. The proposed access is suitable and is located at a point approved in the original masterplan. Planting is proposed around the boundary of the development but it must be ensured that visibility at the access is not obstructed. To maintain adequate visibility splays to Design Guide standards all boundary treatments and planting within the visibility splay must be less than 600mm in height (Design Guide and Specification).
21. From a traffic management point of view, it is noted that the residential site is within the commercial section of the Masterplan. That said, housing has a lower traffic generation than office developments and therefore there will be less traffic impact from the housing development. It is not expected that there will be industrial use in that sector and there will be little mixing of cars and HGVs.
22. An access path link to the avenue is proposed and this is welcomed to provide a pedestrian link through the site to the proposed village centre to the south.
23. The developer should enter into a S38 agreement with the Highway Authority for adoption of the road.
24. Provision should also be made for an area of hardstanding in close proximity to the adopted highway in order to facilitate refuse collections.

Landscape and Visual Comments (Summarised)

25. No objection to the principle, and notwithstanding the pre-planning enquiries subject to addressing matters relating to car park kerb arrangements, soft landscaping, residents garden, avenue planting, impact on tree and planting belt, retaining wall, hard and soft landscaping and tree protection measures.

Built Environment

26. No comments

Care For Your Area

27. No comments received.

Environmental Health

28. No objections subject to conditions in respect of noise disturbance between living accommodation, noise disturbance from adjacent road traffic, land contamination, and construction noise (working period).

Environment Agency

Final Comments

29. No objection as a detailed flood risk assessment has been completed, the finished floor level of the properties are a minimum of 9.3 metres AOD and subject to conditions in respect of surface water drainage, and floor level set above 9.3 metres AOD.

Northumbrian Water

30. No objections.

Northern Gasworks

31. No objections and encloses mains records for the area.

C E Electric

32. No objections and encloses mains records for the area.

British Waterways

33. No impact on the waterway and therefore we have no comment to make and do not require notification of your decision.

Thornaby Town Council

34. No response received.

Tees Valley Wildlife Trust

35. No response received.

Ramblers Association

36. No comments to make.

Parkfield Residents Association

37. No response received

Campaign to Protect Rural England

38. No response received.

Corporate Director Children, Education And Social Care

39. No response received.

PLANNING POLICY CONSIDERATIONS

40. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. In this case the relevant Development Plans are the Tees Valley Structure Plan (TVSP) and the Stockton on Tees Local Plan (STLP).
41. The following planning policies are considered to be relevant to the consideration of this application:

Adopted Stockton-on-Tees Local Plan

Policy GP1

Proposals for development will be assessed in relation to the policies of the Cleveland Structure Plan and the following criteria as appropriate:

- (i) The external appearance of the development and its relationship with the surrounding area;
- (ii) The effect on the amenities of the occupiers of nearby properties;
- (iii) The provision of satisfactory access and parking arrangements;
- (iv) The contribution of existing trees and landscape features;
- (v) The need for a high standard of landscaping;
- (vi) The desire to reduce opportunities for crime;
- (vii) The intention to make development as accessible as possible to everyone;
- (viii) The quality, character and sensitivity of existing landscapes and buildings;
- (ix) The effect upon wildlife habitats;
- (x) The effect upon the public rights of way network.

Policy TR15

The design of highways required in connection with new development and changes of use will provide for all the traffic generated by the development while the provision of off-street parking will normally be required to accord with the standards set out in the Stockton on-Tees Borough Council Design Guide & Specification, Edition No. 1.

Policy HO3

States that within the limits of development, residential development may be permitted provided that:

- (i) The land is not specifically allocated for another use; and
- (ii) The land is not underneath electricity lines; and
- (iii) It does not result in the loss of a site which is used for recreational purposes; and
- (iv) It is sympathetic to the character of the locality and takes account of and accommodates important features within the site; and
- (v) It does not result in an unacceptable loss of amenity to adjacent land users; and
- (vi) Satisfactory arrangements can be made for access and parking.

Policy HO11

States that new residential development should be designed and laid out to provide a high quality of built environment in keeping with its surroundings, incorporate open space, provide a satisfactory degree of privacy and amenity, for new dwellings and existing occupiers of neighbouring properties, pay

regard to existing features and ground levels, provide adequate access, parking and servicing, and incorporate features to assist in crime prevention.

Policy TR15

States that the design of highways required in connection with new development and changes of use will provide for all the traffic generated by the development, while the provision of off-street parking will normally be required to accord with the standards set out in the Stockton on Tees Borough Council Design Guide and Specification, Edition No 1.

Policy EN11

States that the planting of trees, of locally appropriate species, will be encouraged within the area indicated on the proposals map as community forest. In considering applications for planning permission in the community forest area, the Local Planning Authority will give weight to the degree to which the applicant has demonstrated that full account has been taken of existing trees on site, together with an appraisal of the possibilities of creating new woodland or undertaking additional tree planting. In the light of the appraisal the Local Planning Authority will require a landscaping scheme to be agreed which makes a contribution to the community forest.

MATERIAL PLANNING CONSIDERATIONS

42. The main considerations in respect of the proposed development relate to compliance with the Masterplan and Design Guide, impact on the amenity of the residents of adjacent and proposed dwellings, and occupiers of adjacent properties, impact on the streetscene and visual amenity, access and highway safety considerations.

Compliance with the Masterplan and Design Guide

43. The original Masterplan for Bowesfield and planning permission granted envisaged a mix of housing and employment on the wider site, and showed a gradation of uses and scale of buildings across the site, from the larger business buildings through to office and leisure uses and apartment blocks and finally family houses. It was considered at the time that housing development would introduce 24-hour neighbourhood activity in the area.
44. Since that time, and in accordance with the outline planning permission, the Masterplan has been revised on a number of occasions, and the most recently approved version (Drawing No. HJB/457/32d) shows commercial and leisure uses for Plot J. The remainder of uses on the Bowesfield site are commercial, office and village centre uses as envisaged by the original Masterplan.
45. To formalise the proposed housing development H J Banks has submitted a further revision of the Masterplan, which shows Plot J as residential development and the remainder as envisaged for a mix of commercial uses and a village centre. The remainder of the uses on site are unchanged and Village Centre is still shown on the adjacent Plot R.
46. In light of the responses to consultees to date, it would appear that there are no objections in principle to residential development on Plot J. Whilst residential development in this location would normally be resisted on grounds of sustainability, given the individual circumstances and the on site provision albeit

at a later date for a village centre, it is considered that this change can be accommodated without unduly compromising the Council's drive for sustainable development in line with central government policy. Taking account of the representations received and in light of the above, it is recommended that a revision to the Masterplan to accommodate the proposed development is acceptable. However, H J Banks will be advised that the Council would not entertain further residential development on the site, and any further revision to the masterplan in this respect would be declined.

Design and Visual Amenity

47. Bowesfield Park is subject to a Masterplan and Design Guide and is distinct from the neighbouring adjacent industrial estate, by requiring a high standard of design and landscaping. The apartments frame the Plot and provide a significant presence on the main entrance to the site without being overly dominant. The materials, finish and design of the apartment blocks blend with the adjacent housing and apartments. The proposed houses are standard house types to be found in the adjacent David Barlow housing site. In principle the type of development proposed is considered acceptable, however there are matters relating to landscaping and layout outstanding, and the detail of the development may well change, although it is not considered that those changes would be significant. In light of this a final assessment in terms of design and visual amenity cannot be completed.

Impact on Residential Amenity

48. Although the layout is likely to change, it is envisaged that the apartment arrangement will remain. It is considered that due to the orientation of the proposed apartments, north of existing residential properties on Brooklime Avenue, Sundew Court, Yarrow Drive and Water Avens Way, there would be no adverse impact arising from overshadowing including on any dwellings within the plot itself.
49. Existing properties on Sundew Court and Brooklime Avenue present a mix of gable and rear elevations to Plot J. On the basis of the plan submitted, the apartment block, containing units 1 – 4 would present a corner and a blank gable obliquely to properties on Sundew Court and Brooklime Avenue at approximately 28 metres. The stand off distances are less internally, however, those relationships may well change with the submission of further amending details. A stand off distance of over 30 metres is achieved between the existing apartments on the Willow Sage Court and proposed apartments, over 45 metres between the proposed dwellings and the existing apartments, and 15 metres between the proposed housing units and properties on Sundew Court. Those distances are considered sufficient to maintain privacy and prevent an overbearing impact. It should be noted that notwithstanding this conclusion, the layout may well change in respect of the housing units. Overall, it is considered that the apartment block can be sited in the location proposed without undue harm to the amenity of the occupants of both existing and future residents of neighbouring houses and flats. A conclusion in respect of the siting of the proposed dwellings cannot be made at this time.
50. The proposed apartments, on the west and north elevations, face existing and proposed commercial properties. To the west is Teesside Audi car dealership, northwest is Toyota car dealership and to the north are office blocks. A mix of commercial and residential uses was always envisaged for Bowesfield Park and this interface of the two would need to take place on the site in this general

location. Having said that, account should be taken of the impact of the uses and it is considered that the separation distances between the proposed buildings are sufficient to maintain privacy and prevent an overbearing impact. It is therefore considered that the relationship between the uses is acceptable.

Access and Highway Safety considerations

51. As set out in paragraphs 19 to 24, there is no objection in principle from the Urban Design Manager in respect of the access and the traffic impact of this development, but this is subject to further detail and clarification. Dr Ibhaddon's comments in respect of traffic impact have been noted however, as set out above, there are no objections to the proposal from a traffic management point of view but a further detailed assessment cannot be made until a final layout is received.

RESIDUAL MATTERS

Flood Risk

52. In response to the initial objections to the proposal by the Environment Agency, the applicant has submitted further information in respect of drainage and finished floor levels. It confirms that the proposed development will not be at risk of flooding as the finished floor levels are set at over 3 metres above the 1 in 100 year flood event, and surface water drainage from the site has been allowed for in the existing infrastructure. Therefore the flows will not be beyond the levels already agreed in the previous liaison between H J Banks and the Environment Agency. In light of this information and subject to conditions in respect of finished floor levels and drainage the Environment Agency has lifted its previous objection.

Community Forest

53. The site is within the area of the Community Forest, where policy EN11 of the adopted Stockton on Tees Local Plan seeks to encourage tree planting and requires assessment of submitted schemes in this respect. The development has no impact on any landscaped or areas for planting and therefore would not compromise the minor contribution this site could make to the Community Forest or undermine the intent of Policy EN11.

Open Space Provision and Scale of Development

54. Dr Ibhaddon has comments that the development on Plot J should be scaled down or left to open space. Mr Gordon suggests that only housing units should be allowed. The development as proposed reflects the mix and compact nature of the remainder of residential development on Bowesfield Park, and subject to satisfactory details is not objectionable on this site. Open space provision on the Park is limited to private garden space and small areas of incidental space around buildings. Wider amenity open space, established via the outline planning permission and subsequent details, is provided in the adjacent riverside areas and proposed glade walkways.

CONCLUSION

55. Having taken account of the representations received, it is considered that in principle the development of Plot J for housing is acceptable, however, changes are required to the existing submitted layout to satisfy the concerns raised. Any permission granted however, would necessitate an amendment to the Masterplan for Bowesfield Park, which is being dealt with as a separate matter.
56. In light of the above, the changes required, and bearing in mind the date for determination, it is recommended that the decision in respect of this application be delegated to the Head of Planning.

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Financial Implications.

None

Environmental Implications.

As Report.

Community Safety Implications.

Not Applicable.

Human Rights Implications.

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

Background Papers.

Adopted Stockton on Tees Local Plan (June 1997)
Planning Application Reference Numbers 01/0660/P & 07/1927/FUL
Bowesfield Masterplan and Design Guide

Ward	Parkfield and Oxbridge
Ward Councillors	Councillor M. Javed Councillor R Rix